

IN THE US PATENT AND TRADEMARK OFFICE

In re Application of:

Edward F. DeLong et al.

Group: 1637

Serial No: 09/847,513

Examiner: Teresa E. Strzelecka

Filed: May 1, 2001

For: Light-Driven Energy Generation Using Proteorhodopsin

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on


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REPLY UNDER 37 CFR 1.111

Assistant Commissioner for Patents
Washington, DC 20231

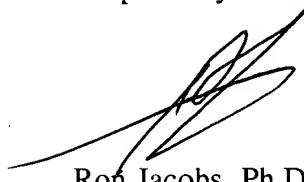
Sir:

In reply to the Office Action dated 4/3/2003, the Applicants provisionally elect with traverse, according to 37 CFR 1.143, invention I (Claims 1, 2, 3-6, 7, and 37-44) drawn to a proteorhodopsin gene with SEQ ID NO:4. The reason for traverse is that claims 1 and 2 are generic to the clones claimed in dependent claims 7-36, which is acknowledged by the Examiner in the Office Action on page 2, item 1 stating "Claims 1 and 2 link(s) inventions I-XXX. Furthermore, the Applicants traverse the restriction requirement to inventions

XXXI-LX since claim 45 is generic to the clones claimed in dependent claims 51-80, which is acknowledged by the Examiner in the Office Action on page 2, item 2 stating "Claims 45 link(s) inventions XXXXI-LX.

According to *35 USC 21(b)* the reply is hereby timely filed within one month from the date of the Office Action and therefore no extension of time for reply is required.

Respectfully submitted,



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